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VIA EDNY EFILE

February 18, 2022

Magistrate Judge Sanket J. Bulsara
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Byron Geovanny Arevalo Fajardo et al. v. WB Maintenance & Design Group Inc. et al.
Case No. 1:21-cv-05236-PKC-SJB
Letter Motion requesting extension of mediation deadline
from March 29, 2022 to April 29, 2022

Your Honor,

This office was recently retained to represent Defendant Alexander Briceno (“Defendant”) in the above-referenced action, who was named a Defendant in the Plaintiff’s Amended Complaint. Defendant was served with the Amended Complaint on January 14, 2022, and retained this office February 2, 2022.

Prior to this office’s appearance the parties had scheduled a mediation session for March 17, 2022, and a pre-mediation conference was held February 15, 2022. During the conference my office, appearing by Michael Cirrito, Esq., requested an adjournment of the March 17, 2022 mediation session and extension of the deadline for mediation from March 29, 2022 to April 29, 2022.

The mediator, and co-Defendants’ counsel consented subject to Your Honor’s authorization. Plaintiffs’ counsel does not consent to the relief requested in this application.

Our office is still in the process of reviewing the prior proceedings herein; on Wednesday I reviewed the Rule 26(f) Report (Docket No. 62) and saw that initial disclosures were to have been exchanged by January 28, 2022, and that discovery exchanges “necessary for reasoned consideration of settlement” are to be made by February 28, 2022.

I also note the docket entry for ‘Selection of Mediator’ (01/28/2022) indicates that the parties are to file with the Mediator “their client’s mediation statement summarizing the facts, legal issues, [and] particulars of any prior settlement discussions” two weeks prior to the first scheduled mediation session. The first mediation session is currently scheduled for March 17, 2022, thus requiring mediation statements to be submitted by March 3, 2022, the day before Defendant’s answer is due.

The reason I am submitting this request is to give my office time to catch up to the parties who have been involved in this action for several months, and so that we can participate in a meaningful mediation with full knowledge of the facts and issues at hand.

Thank you for Your Honor’s time and attention to this matter.

Respectfully submitted,
WHITE, CIRRITO, NALLY & LYNCH, LLP

/s/Christopher M. Lynch

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